

SAMUEL BERNARD JOHNSON III
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Plaintiff - *In Pro Se*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SAMUEL BERNARD JOHNSON III,

Plaintiff,

vs.

CHEVRON CORPORATION, a Delaware
corporation, CHEVRON
ENVIRONMENTAL MANAGEMENT
COMPANY, a California corporation, and
DOES 1-10,

Defendants

Case No.: C 07-05756 SI (JCS)

**DECLARATION OF SAMUEL
BERNARD JOHNSON III IN SUPPORT
OF PLAINTIFF'S MOTION TO EXCEED
TWENTY-FIVE PAGE LIMITATION TO
FILE A MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
PLAINTIFF'S MOTION TO COMPEL
DISCOVERY FROM DEFENDANTS
CHEVRON CORPORATION,
CHEVRON ENVIRONMENTAL
MANAGEMENT COMPANY, THEIR
ATTORNEY OF RECORD AND
REQUEST FOR SANCTIONS**

DECLARATION OF SAMUEL BERNARD JOHNSON III IN SUPPORT OF PLAINTIFF'S MOTION
TO EXCEED TWENTY-FIVE PAGE LIMITATION TO FILE A MEMORANDUM,
CASE NO. C 07-05756 SI (JCS)

I, Samuel Bernard Johnson III, (hereinafter referred as "Plaintiff Johnson") am the Plaintiff in the within action declare the following:

1. On August 2, 2008, by way of email I informed Delia A. Isvoranu, Esq. of Filice Brown Eassa & McLeod LLP (hereinafter referred to as "Counsel for Chevron") that I would be filing a Motion to Compel Discovery from Chevron Corporation, Chevron Environmental Management Company and Their Attorney of Record. See Exhibit A, August 2, 2008, email starting at 10:23 a.m. until 10:55 a.m between Plaintiff Johnson and Counsel for Chevron.

2. On August 2, 2008, by way of email I also informed Counsel for Chevron that due to the amount of discovery that was withheld that I would need to exceed the twenty-five page limitation in filing my memorandum. *Id.* at Exhibit A.

3. On August 2, 2008, by way of email I ascertained if Counsel for Chevron would provide me with a stipulation. *Id.* at Exhibit A.

4. On August 2, 2008, by way of email Counsel for Chevron stated that she would not provide me with a stipulation to submit to the Court stating that the parties were in agreement that due to the amount of withheld discovery that Plaintiff Johnson would need to exceed the twenty-five page limitation in order to file his memorandum in support of such. *Id.* at Exhibit A.

I declare under penalty of perjury under the laws of the United States that the foregoing statements are true and correct.

Dated this 4th day of August 2008

/s/

SAMUEL BERNARD JOHNSON III

EXHIBIT A

Subject: Re: Stipulation
Date: 8/2/2008 10:55:43 A.M. Pacific Daylight Time
From: disvoranu@filicebrown.com
To: blakviii@aol.com

Sent from the Internet ([Details](#))

Please advise the court that I will not stipulate given that I do not believe a motion is proper.

Thanks.

Delia

-----Original Message-----

From: blakviii@aol.com <blakviii@aol.com>

To: Delia Isvoranu

Sent: Sat Aug 02 10:52:54 2008

Subject: Re: Stipulation

Ok, Ill advise the court that you will not provide a stipulation. As Judge Spero stated I did not provide him with the basis for why the requested records were needed. He also denied the compelling of the pge subpoeona do to an alleged unilateral agreement by me. That is not true and the motion to compel will prove that. Given such I have a brief to write.

Sent from my Verizon Wireless BlackBerry

-----Original Message-----

From: "Delia Isvoranu" disvoranu@filicebrown.com

1 Date: Sat, 2 Aug 2008 10:44:46

2 To: <blakviii@aol.com>

3 Subject: Re: Stipulation

4 Samuel,

5 Again, this is just the RFPs regarding the personnel records as those were the only ones at issue in
6 Judge Spero's order? Also, the Order did not ask for a full briefing, so I will object to the Motion.

7 Thanks,

8 Delia

9
10 -----Original Message-----

11 From: blakviii@aol.com <blakviii@aol.com>

12 To: Delia Isvoranu

13 Sent: Sat Aug 02 10:42:24 2008

14 Subject: Re: Stipulation

15 Delia we this is based on the first rfps and Judge Spero's order. I'm doing a full briefing. If this does not
16 make sense please call me to discuss. Samuel

17
18 -----Original Message-----

19 From: Delia I

20 To: blakviii@aol.com

21 Subject: Re: Stipulation

22 Sent: Aug 2, 2008 10:28 AM

23 Samuel,

24 Which RFPs are you referring to? We have not met and conferred (unless you are referring to the
25 personnel record RFPs)and therefore, should set a time to discuss them. Finally, I will not stipulate given
26 that the court's rules require a 3 page letter (as you have previously pointed out) and the Northern District

1 does not accept Motions to Compel instead of the "etter.

2 Delia

3
4 -----Original Message-----

5 From: blakviii@aol.com <blakviii@aol.com>

6 To: Delia Isvoranu

7 Sent: Sat Aug 02 10:23:24 2008

8 Subject: Stipulation

9 Delia since you have refused to produce over 15 rfps I'm going to need a stipulation to exceed 25 page
10 limitation. Please let me know if you will agree. Ill then prepare the stipulation. Samuel

11 Sent from my Verizon Wireless BlackBerry

12 *****

13 IRS Circular 230 Disclosure: As required by U.S. Treasury Regulations
14 governing tax practice, you are hereby advised that any written tax advice
15 contained herein was not written or intended to be used (and cannot be used)
16 by any taxpayer for the purpose of avoiding penalties that may be imposed
17 under the U.S. Internal Revenue Code.

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21 legally privileged. Any use, review, dissemination, distribution, or copying
22 of this transmission by anyone other than the intended recipient is strictly
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26 Sent from my Verizon Wireless BlackBerry

27 *****

28 ///

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